

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING – October 10, 2013
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 48, 50 – 68*)

Members: Henry P. Szymanski (*voting on items 1 – 49*)
Donald Jackson (*voting on items 1 – 68*)
Martin E. Kohler (*voting on items 1 – 48, 50 – 68*)
Jose L. Dominguez (*voting on items 1 – 68*)

Alt. Board Members: Jewel Currie (*Excused*)
Karen D. Dardy (*voting on items 50 – 68*)

START TIME: 4:01 p.m.

End Time: 8:28 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	32276 Dimensional Variance/ Use Variance	Rupinder Arora Property Owner Request to allow window signs that obscure more than 50% of the glazing area, 2 banner signs, 2 wall signs that exceed the maximum allowed square footage, and a ground sign that exceeds the maximum allowed height.	635 W. Greenfield Av. A/K/A 635 W. Greenfield Av. 1 12th Dist.
Action:		Adjourned	
Motion:		This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
Vote:		--	
Conditions of Approval:		--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	32502 Special Use	HMB, LLC c/o Mohamed Kassem; Lessee Request to continue occupying the premises as a car wash and motor vehicle sales facility.	1801 W. Forest Home Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
3	32564 Special Use	Delbert Jordan, Jr. Lessee Request to occupy a portion of the premises as a tavern.	2779 N. 17th St. A/K/A 2777 N. 17th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	32707 Appeal of an Order	Milwaukee Moderne LLC Property Owner Request to appeal an order from the Department of Neighborhood Services stating that a dumpster storage area shall be screened with type 'G' landscaping or shall be incorporated into the structure it serves.	1141 N. Old World Third St. A/K/A 1141 N. Old World Third St. 1 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	32374 Special Use	Structured Living Concepts LLC James J. Harrison; Lessee Request to occupy a portion of the premises as a rooming house for 20 occupants.	3385 N. Martin L King Jr Dr. A/K/A 3379 N. Martin L King Jr Dr. 3 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
6	32547 Special Use	Darnell Hamilton Lessee Request to occupy the premises as a motor vehicle repair facility and car wash.	1301 W. Burleigh St. A/K/A 1307 W. Burleigh St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
7	32606 Special Use	Devon J Christian Lessee Request to occupy the premises as a personal service facility.	3044 N. Holton St. A/K/A 3044 A N. Holton St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	32666 Special Use	Russian Gold Jewelers LLC Dennis Sorin; Lessee Request to occupy a portion of the premises as a cash-for-gold business.	8233 W. Brown Deer Rd. A/K/A 8247 W. Brown Deer Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
9	32291 Use Variance	Steve Sazama Property Owner Request to construct an addition and to occupy the premises as a catering service.	5501 W. State St. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	32769 Extension of Time	Mueller Communications Carl Mueller; Property Owner Request for an extension of time to comply with the conditions of case #31061.	1749 N. Prospect Av. 3rd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	Extension of time approved. Must comply with conditions of case #31061: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on a revised façade plan for the building's Prospect Ave frontage. 5. That this Special Use is granted for a period of time, commencing with the date hereof, and expiring September 8, 2020.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	32717 Special Use	National Real Estate Investors LLC Hussein Govani; Property Owner Request to continue occupying the premises as a motor vehicle repair facility with an accessory parking lot.	1614 W. National Av. A/K/A 1622 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of City code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all repair work is conducted inside the building. 8. That no work on or storage of vehicles occurs in the public right-of-way. 9. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	32728 Special Use	Juan M Sanchez Property Owner Request to occupy a portion of the premises as a fast-food/carry-out restaurant.	1039 W. National Av. A/K/A 1037 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That a Special Privilege Amendment for change of ownership be obtained from the City of Milwaukee Common Council to allow the handicap ramp to continue to occupy the public right-of-way. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	32729 Special Use	Evan M Hughes Lessee Request to occupy a portion of the premises as a heavy manufacturing facility.	613 S. 2nd St. A/K/A 609 S. 2nd St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the planters to occupy the public right-of-way. 6. That dumpsters are not stored in the public right-of-way of South 2nd Street. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 28, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32738 Special Use	Palko Energies LLC Alex Palkonis; Prospective Buyer Request to occupy the premises as an indoor storage facility.	1036 W. National Av. A/K/A 1038 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
15	32766 Special Use	Pogall 3 LLC Keith Alling; Property Owner Request to occupy a portion of the premises as a general office.	1743 S. 1st St. A/K/A 1743 S. 1st St. B 12th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

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16	32739 Special Use	L&R Group Michael Pace; Property Owner Request to occupy a portion of the premises as a principal use parking lot.	4747 S. Howell Av. A/K/A 4802 S. 2nd St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on September 13, 2013 is installed by June 1, 2014, and is maintained in a manner that meets the intent of City code. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	32696 Dimensional Variance	Russell J Grabczyk Property Owner Request to construct a deck that does not meet the minimum required side street setback.	1601 E. Pryor Av. A/K/A 1603 E. Pryor Av. 14th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, demolition of the existing timber planters and concrete steps and construction of the porch, pergola, and retaining wall. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	32740 Dimensional Variance	Jay Kleczka Property Owner Request to raze the existing structure and to construct a permitted funeral home that does not meet the maximum front setback, maximum side street setback, minimum building, and minimum required glazing.	3279 S. Howell Av. A/K/A 324 E. Ohio Av. 14th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, façade & elevation plans, and glazing plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and local building code requirements prior to occupancy.</p> <p>6. That these Variances are granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	32665 Dimensional Variance	<p>Leslie S Montemurro Property Owner</p> <p>Request to allow an accessory building that does not meet the minimum required setback and to allow a fence that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.).</p>	<p>2491 S. Superior St. A/K/A 2491 S. Superior St. A 14th Dist.</p>
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That unused driveway on South Superior Street, which does not serve a legal parking space, be removed and restored to City of Milwaukee specifications.</p> <p>5. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the posts supporting hanging lights to occupy the public right-of-way.</p> <p>6. That all fences on the property be installed with applicable fence permits.</p> <p>7. That these Variances are granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	32713 Special Use	Joe Flippin Property Owner	1811 W. Center St. 15th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscaping is maintained in a manner that meets the intent of City code.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
21	32709 Special Use	Alphonse Djomaha Lessee	5050 N. Hopkins St. 1st Dist.
		Request to occupy the premises as a general retail establishment.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	32733 Special Use	Arlisha Robinson Lessee Request to occupy the premises as a second-hand sales facility.	4010 W. Villard Av. A/K/A 4110 W. Villard . 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
23	32565 Special Use	Ali Hassan Lessee Request to occupy a portion of the premises as a fast-food/carry-out restaurant.	9040 W. Silver Spring Dr. A/K/A 9040 W. Silver Spring . 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
24	32670 Special Use	Thomas F Gorak Property Owner Request to occupy the premises as a motor vehicle sales and repair facility.	4212 N. 76th St. A/K/A 4200 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	32727 Special Use	Latasha Marshall Lessee Request to occupy the premises as a 24 hour day care center for 27 children per shift infant to 12 years of age, operating Monday - Sunday.	8717 W. Fond Du Lac Av. A/K/A 8745 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional - I 2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the facility does not exceed a capacity of 27 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 27 children. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32752 Special Use	Paula Toy Lessee	7526 W. Fond Du Lac Av. 2nd Dist.
		Request to increase the number of children per shift from 46 to 64 for the Board approved day care center for children infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use</p> <p>7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>10. That the facility does not exceed a capacity of 64 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 64 children.</p> <p>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 26, 2020.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	32720 Dimensional Variance	James Manz Property Owner Request to erect a fence in the side and rear yards that exceeds the maximum allowed height.	2934 N. Gordon Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land. 	

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28	32736 Special Use	Immanuel Presbyterian Church Dennis Chistiansen; Property Owner Request to occupy a portion of the premises as an accessory use parking lot.	1100 N. Astor St. A/K/A 1035 N. Waverly Pl. 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the landscape and screening plan submitted to the Board of Zoning Appeals on September 13, 2013 is revised to include a second row of shrubs along the N. Waverly Place frontage. 5. That landscaping and screening per an approved landscape plan is installed by June 1, 2014 and maintained in a manner that meets the intent of City code. 6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, removal of the trench drains from the public right-of-way. 7. That this Special Use is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	32701 Special Use	Badger Auto Sales Nick Antzoulatos; Property Owner Request to continue occupying the premises as a motor vehicle sales facility.	8144 W. Appleton Av. A/K/A 8138 W. Appleton Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside of the building. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6 That landscaping and screening is maintained in accordance with the landscape plan that was approved on September 16, 2002. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That no sales vehicles are displayed in the public right-of-way. 10. That no work on or storage of vehicles occurs in the public right-of-way. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32724 Special Use	Acelero Learning Milwaukee County, Inc. Lessee Request to continue occupying the premises as a day care center for 178 children per shift 3 to 5 years of age, operating Monday - Friday 7:00 a.m. to 6:00 p.m.	7833 W. Capitol Dr. A/K/A 3975 N. 78th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32747 Special Use	S & T Closet / Remtco Stephanie Townsend & Saphonyan Tidwell; Lessee	8432 W. Lisbon Av. A/K/A 8434 W. Lisbon Av. 3 5th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s.295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That the petitioner shall comply with MPD documentation and record keeping requirements.</p> <p>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	32734 Special Use	Frances R Hill Property Owner Request to continue occupying the premises as a day care center for 15 children per shift 2 to 10 years of age, operating Monday - Friday 7:00 a.m. to 10:00 p.m.	7980 W. Appleton Av. A/K/A 7982 W. Appleton Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/day.</p> <p>8. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>9. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	32756 Special Use	Orpheus Huston Prospective Buyer	8332 W. Lisbon Av. 5th Dist.
		Request to add motor vehicle sales to a Board-approved motor vehicle repair facility and car wash.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening must be maintained to meet the plan approved by the Department of City Development on April 16, 1993. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That all repair work and car wash activity is conducted inside the building. 8. That no work on or storage of vehicles occurs in the public right-of-way. 9. That no sales vehicles are displayed in the public right-of-way. 10. That driveways are not blocked by parked vehicles. 11. That no more than six (6) cars are displayed for sale on the lot at any one time. 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 24, 2017. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	32708 Special Use	Raed Abuhakma Lessee Request to continue occupying the premises as a general retail establishment.	400 E. Burleigh St. A/K/A 3106 N. Buffum St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 7. That signage must meet the intent of the signage standards of the Milwaukee Zoning Code. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	32755 Special Use	<p>Tamara Collins & Debra Morgan Lessee</p> <p>Request to continue occupying the premises as a 24 hour day care center for 45 children per shift infant to 12 years of age, operating Monday - Sunday.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>2500 N. Holton St. A/K/A 2506 N. Holton St. 6th Dist.</p>
36	32722 Special Use	<p>Latrece Shelton Lessee</p> <p>Request to continue occupying the premises as a group home for 8 occupants.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. </p>	<p>3049 N. 28th St. A/K/A 3049 A N. 28th St. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	32743 Special Use	Roosevelt H Fisher Property Owner	3700 W. Burleigh St. 7th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and car wash.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all repair work is conducted inside the building. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is implemented and maintained in accordance with the landscape plan approved by the Department of City Development on October 19, 2010. 7. That no work on or storage of vehicles occurs in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	32749 Special Use	Hazel Johnson Property Owner Request to continue occupying the premises as a ground transportation facility and hand car wash.	3939 W. Concordia Av. A/K/A 3939 A W. Concordia Av. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That no work on or storage of vehicles occurs in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	32754 Special Use	<p>Chuckson Holloway Property Owner</p> <p>Request to continue occupying the premises as a group home for 8 occupants.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. </p>	<p>4129 N. Sherman Bl. A/K/A 4131 N. Sherman Bl. 7th Dist.</p>
40	32768 Dimensional Variance	<p>Children's Hospital of Wisconsin Maureen Goetz; Lessee</p> <p>Request to erect a sign that exceeds the permitted number of signs per frontage (required 1 / proposed 2).</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>2320 W. Burleigh St. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32702 Special Use	Marta Cordovez Property Owner	1762 S. Muskego Av. 8th Dist.
		Request to continue occupying the premises as a day care center for 22 children per shift infant to 12 years of age, operating Monday - Friday, 6:30 a.m. to midnight.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	32704 Special Use/ Dimensional Variance	Victor Colon Prospective Buyer Request to occupy the premises as a second-hand sales facility that does not meet the minimum required glazing (minimum 60% / proposed 0).	1761 S. Muskego Av. A/K/A 1757 S. Muskego Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
43	32723 Special Use	Goodwill Industries of SE Wisconsin, Inc. Joan Farrell; Lessee Request to occupy a portion of the premises as a social service facility.	1236 S. Layton Bl. A/K/A 1300 S. Layton Bl. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	32726 Special Use	On The Wire 35 Scott, Inc. Joel B. Paplham; Lessee Request to occupy a portion of the premises as a general office.	3437 W. Scott St. A/K/A 1204 S. 35th St. 1 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	32406 Special Use	Plankview Green Dev LLC Property Owner	7550 N. 76th St. 9th Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that any existing freestanding signs be removed, replaced or reduced in size to meet the current height and display area requirements of City code. 5. That within 90 days of Board approval of the special use the petitioner must submit a landscape plan that identifies the existing landscaping and adds additional trees and shrubs to be in compliance with s.295-405 of the Milwaukee Zoning Code. 6. That no work on or storage of vehicles occurs in the public right-of-way. 7. That no sales vehicles are displayed in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 11, 2022. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	32716 Special Use	Daljit S Kler Property Owner	8015 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</p> <p>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s.84-7 of the Milwaukee code of ordinances.</p> <p>8. That the car wash only operates between the hours of 7 A.M. and 9 P.M.</p> <p>9. That landscaping and screening in accordance with the plan submitted to the Board of Zoning Appeals on November 25, 2003 is installed by June 1, 2014, and is maintained in a manner that meets the intent of city code.</p> <p>10. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>11. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	32697 Special Use	Gabriel Panta Lessee Request to occupy a portion of the premises as a second-hand sales facility.	6921 W. Oklahoma Av. A/K/A 6917 W. Oklahoma Av. 11th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s.295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That the petitioner shall comply with MPD documentation and record keeping requirements. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	32741 Special Use	76th and Oklahoma LLC Prospective Buyer Request to raze the existing structure and to occupy the premises as a principal use parking lot.	3101 S. 76th St. 11th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the landscape and screening plan submitted to the Board of Zoning Appeals on August 29, 2013 is revised to include a wider planting strip along the S. 76th St frontage and that a second row of shrubs are added to the planting strips along both the S. 76th St and W. Oklahoma Ave frontages. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials; any excavation in the public right-of-way; and any occupancy of the public right-of-way.</p> <p>6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 14, 2022.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	32446 Special Use	<p>Jose L Hernandez-Triano Lessee</p> <p>Request to continue occupying the premises as a motor vehicle sales facility and body shop (this is a new operator).</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.</p> <p>Vote: 4 Ayes, 0 Nays, 0 Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That landscaping and screening is implemented and maintained in accordance to the landscape plan submitted to the Board on December 14, 2007. Specifically that tree & shrubs are planted in area "F" as identified on said plan within 90 days of Board approval of the special use. 6. That no work on or storage of vehicles occurs in the public right-of-way. 7. That no sales vehicles are displayed in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is conducted inside the building. 11. That all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed unless the spray booth is in good operating condition and used per manufacturer's specifications. 12. That no more than three (3) vehicles be displayed for sale on the lot at any one time. 13. That these Special Uses are granted for a period of three (3) years, commencing with the date hereof. 	<p>4030 S. Pine Av. A/K/A 4030 S. Pine St. 14th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	32551 Special Use	Omar Ahmad AZ Management; Other	3236 S. 27th St. 13th Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant with a drive-through.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that the existing non-conforming freestanding sign either be removed or reduced in size to comply with the current zoning code.</p> <p>5. That the landscape and screening plan submitted to the Board of Zoning Appeals on July 24, 2013 is revised to include additional plant material. The revised plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in a manner that meets the intent of city code.</p> <p>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>8. That the petitioner agrees to work with the Zoning Administration Group staff on revised façade & elevation plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	32592 Special Use	<p>Serena Ballman Property Owner</p> <p>Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 8:00 p.m. and the ages of children from infant - 5 years of age to infant - 12 years of age for the Board approved day care center for 20 children per shift operating Monday - Friday.</p> <p>Action: Granted</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 14, 2015. 	<p>4170 S. Howell Av. A/K/A 4180 S. Howell Av. 13th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	32700 Dimensional Variance	N & N Real Estate LLC Nemer Mahmoud; Property Owner Request to allow a Board approved motor vehicle sales and repair facility without the minimum required landscaping.	5900 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
53	32683 Dimensional Variance	Scott Meka Property Owner Request to raze the existing garage and to construct a garage that does not meet the minimum required vision triangle or side street setback.	2961 S. Wentworth Av. 14th Dist.
	Action:	Granted	
	Motion:	Jose Dominguez moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	32571 Special Use	Martha Brock Lessee Request to occupy a portion of the premises as a social service facility.	4234 B N. 76th St. A/K/A 4234 N. 76th St. 2nd Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	32595 Dimensional Variance	O'Reilly Automotive Stores, Inc. Attn: Liz Dugger or Steve Peterie; Property Owner Request to raze the existing structure and rebuild a permitted general retail establishment that exceeds the maximum allowed side street setback.	7615 W. Mill Rd. A/K/A 6375 N. 76th St. 2nd Dist.
	Action:	Granted	
	Motion:	Jose Dominguez moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the premises is developed in accordance with the plans submitted to the Board on October 10, 2013. 5. That landscaping in accordance to the landscape plan submitted to the Board on October 10, 2013 is implemented within 120 days of occupancy and maintained in accordance to the plan. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way. 8. That driveways are designed and constructed to City of Milwaukee specifications. 9. That the concrete curbs at the driveway approaches shown projecting into the public right-of-way be terminated at the property line. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and local building code requirements prior to occupancy. 11. That no work on vehicles be completed on the premises. 12. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	32660 Special Use	<p>Makini Triplett Property Owner</p> <p>Request to increase the number of children from 33 to 50 per shift infant to 12 years of age, and to continue occupying the premises as a day care center operating Monday - Friday 6:00 a.m. to 11:30 p.m.</p> <p>Action: Granted</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Karen Dardy.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the facility does not exceed a capacity of 50 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 50 children. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 14, 2016. 	<p>6525 W. Fond Du Lac Av. A/K/A 6523 W. Fond Du Lac Av. 2nd Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	32681 Dimensional Variance	Blankstein Enterprises Eugene Bass; Property Owner Request to allow a parking space located within the side street setback of the principal building.	2400 E. Bradford Av. A/K/A 2400 E. Bradford Av. 604 3rd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
58	32671 Dimensional Variance	Gerard Kempermann Property Owner Request to construct a garage that does not meet the minimum required side street setback.	853 N. 16th St. A/K/A 1601 W. Kilbourn Av. 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the premises is developed in accordance with the plans submitted to the Board on September 27, 2013. 5. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach. 6. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	32737 Special Use	Broadway Parking Company c/o Interstate Parking; Property Owner	777 N. Milwaukee St. 4th Dist.
		Request to occupy the premises as a principal use parking structure.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to façade & elevation plans, and plans for the proposed mural. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That Department of Public Works (DPW) permits are obtained for any work in the public right-of-way, including, but not limited to, closure of the sidewalk to allow for buiding facade modifications and construction of the new driveway on North Milwaukee Street.</p> <p>6. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	32621 Special Use	Nigerian Community in Milwaukee, Inc. Theophilus Iyasele; Property Owner	8310 W. Appleton Av. 5th Dist.
		Request to occupy the premises as a community center.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That within two (2) years of Board approval of the special use a decorative metal fence is installed along the parking lot's W. Appleton Ave frontage in accordance with the screening plan submitted to the Board on July 15, 2013.</p> <p>6. That the first floor windows along the Appleton Ave. frontage be retained as transparent vision glass.</p> <p>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That the applicant provide adequate security for all events at the facility.</p> <p>10. That there be no parties for individuals younger than 18 years of age.</p> <p>11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	32735 Special Use/ Dimensional Variance	<p>Speedway LLC Mike Bergman; Prospective Buyer</p> <p>Request to raze the existing structure and to construct a motor vehicle filling station with three signs, two of which exceed the maximum allowed height and display area.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the special use appeal. Seconded by Martin Kohler. Donald Jackson moved to dismiss the variance appeals. Seconded by Karen Dardy.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 7. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 8. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, façade & elevation plans, and glazing plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 9. That a revised landscape plan is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. The revised landscape and screening plan should include additional landscaping and screening along the W. Silver Spring frontage and in the southeast corner of the parcel. 10. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in a manner that meets the intent of City code. 11. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile M occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 12. That the applicant does not have outdoor storage or display of products or merchandise. 13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 14. That these Variances are dismissed without prejudice. 15. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>11800 W. Silver Spring Dr. A/K/A 11801 R W. Silver Spring Rd. 5th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	32673 Special Use	Redevelopment Authority of the City of Milwaukee Attn: Deshea Agee; Property Owner Request to occupy the premises as a principal use parking lot.	2231 N. Martin L King Jr Dr. A/K/A 2227 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on August 26, 2013.</p> <p>5. That any traffic control devices and operational changes in the adjacent north-south alley must be approved by the Department of Public Works Traffic Engineering Section.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions prior to occupancy.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	32653 Use Variance	Gene Fleisner Property Owner Request to occupy the premises as a mixed-waste processing facility.	10721 W. Brown Deer Pl. A/K/A 10701 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on July 7, 1994. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Factory F-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	32531 Special Use	Joey McPhan Lessee Request to occupy the premises as a second-hand sales facility.	5619 W. North Av. A/K/A 5611 W. North Av. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s.295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile M occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That the petitioner shall comply with MPD documentation and record keeping requirements.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	32718 Special Use	Mauricio Herrera Lessee Request to add a motor vehicle repair facility and to increase the number of vehicles displayed for sale for the Board approved motor vehicle sales facility.	4440 W. Forest Home Av. A/K/A 4435 W. Oklahoma Av. 11th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
66	32495 Use Variance	The Power of God Church Ministries Daughters of the Father Christian Academy; Lessee Request to continue to allow the expanded hours of the school and to continue to occupy a portion of the premises as a religious assembly hall.	3712 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
67	32705 Appeal of an Order	Autopilot Management, LLC Lessee Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a commercial hotel.	2628 E. Newberry Bl. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	32706 Appeal of an Order	Autopilot Management, LLC Lessee Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a commercial hotel.	2950 N. Shepard Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Henry Szymanski moved to approve the minutes of the September 5, 2013 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for November 7, 2013.

Board member Martin E. Kohler moved to adjourn the meeting at 8:28 p.m. Seconded by Board member Jose Dominguez, Jr. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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